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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,000	01/31/2001	Christian Huitema	APP 1257-US	4364

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EXAMINER

JACOBS, LASHONDA T

ART UNIT PAPER NUMBER

2157

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/775,000

Applicant(s)

HUITEMA ET AL.

Examiner

LaShonda T. Jacobs

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on April 29, 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6-8,10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-8,10 and 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This Office Action is in response to Applicants' Amendment filed on July 22, 2004. Claims 2-5 and 9 have been cancelled. Claims 1, 6-8 and 10-11 are presented for further examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raschke et al (hereinafter, "Raschke", 6,653,933) in view of Johnson et al (hereinafter, "Johnson", 6,580,950).

As per claim 1, Raschke teaches a global appliance network system, comprising:

- a local smart appliance network, including at least one smart appliance, said smart appliance having an actual network address (col. 1, lines 17-46 and col. 4, lines 41-61; Raschke teaches an improvement to the conventional smart appliance network);
- a global network agent, including a global server, said global server communicating with said smart appliance (col. 1, lines 17-46, col. 4, lines 41-61 col. 5, lines 16-25 and col. 14, lines 47-60); and

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- a communication network interconnecting said local smart appliance network and said global network agent (col. 1, lines 17-46, col. 3, lines 57-67, col. 4, lines 1-21 and col. 14, lines 47-60).

Even though Raschke imply accessing the Internet “globally” from a remote device to control home appliances and devices.

Raschke does not explicitly teach:

- a general unique address that can map to the actual network address;
- using a general addressing scheme identifying in a single message both said smart appliance network by said general unique global network address and the instruction to be performed on said smart appliance; and
- wherein said general addressing scheme routes the single message from the global server through the communication network to the smart appliance based on the general unique global network address.

Johnson discloses an Internet based home communication system for allowing a homeowner to monitor and control various features of their home including:

- a general unique address that can map to the actual network address (col. 6, lines 36-50 and col. 7, lines 54-60);
- using a general addressing scheme identifying in a single message both said smart appliance network by said general unique global network address and the instruction to be performed on said smart appliance (col. 7, lines 54-67 and col. 8, lines 1-5); and

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- wherein said general addressing scheme routes the single message from the global server through the communication network to the smart appliance based on the general unique global network address (col. 7, lines 54-67 and col. 8, lines 1-5).

Given the teaching of Johnson, it would have been obvious to one of ordinary skill in the art to modify Raschke by including a control (web) page that allows a user to monitor, view and control features of their home from a distant location in a timely and efficient manner.

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raschke in view of Johnson and in further view of Sollee et al (hereinafter, "Sollee", 6,757,732).

As per claim 6, Raschke in view of Johnson teaches the invention substantially as claims discussed above.

However, Raschke in view of Johnson does not explicitly teach:

- a modified version of the Session Initiation protocol.

Sollee discloses a text-based communications over a data network including:

- a modified version of the Session Initiation protocol (col. 4, lines 66-67, col. 5, lines 1-8, lines 27-43 and col. 6, lines 44-50,).

Given the teaching of Sollee, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Raschke in view of Johnson by including a SIP system to initiate call sessions between devices allowing the devices to exchange information and communicate effectively over the network.

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4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raschke in view of Johnson and in further view of Sollee and in further view of Martin.

As per claim 7, Raschke in view of Johnson and in further view of Sollee discloses the invention substantially as claims discussed above.

However Raschke in view of Johnson and in further view of Sollee does not explicitly teach:

- Lightweight Directory Access Protocol.

Martin discloses a server-client communication over a network including:

- Lightweight Directory Access Protocol (col. 2, lines 4-10, col. 4, lines 33-58, col. 5, lines 16-29, lines 65-67 and col. 6, lines 1-7).

Therefore, it would have been obvious to one of ordinary skill in art at the time the invention was made to combine the teachings of Raschke in view of Johnson and in further view of Sollee with Martin to incorporate a Lightweight Directory Access Protocol in order to send and receive messages to smart appliances over a network in a timely and efficient manner.

5. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Sollee.

As per claim 8, Johnson teaches a one-step location method for remotely operating a smart appliance in a local smart appliance network from a global agent in a global network, said method comprising the steps of:

- the global agent formulating a one-step message that includes the general global address of the local smart appliance network and the action to be taken by the smart appliance (col. 6, lines 36-50 and col. 7, lines 54-60);
- transmitting the one-step message over a communication network to the local smart appliance network (col. 7, lines 54-67 and col. 8, lines 1-5);
- unpacking the transmitted one-step message and executing the action to be taken by the smart appliance (col. 7, lines 54-67 and col. 8, lines 1-5).

However, Johnson does not explicitly teach:

- if between the global network and the local smart appliance network there is a firewall, determining that the global agent is permitted to traverse the firewall.

Sollee discloses a text-based communications over a data network including:

- if between the global network and the local smart appliance network there is a firewall, determining that the global agent is permitted to traverse the firewall (col. 1, lines 62-67, col. 3, lines 12-21, col. 5, lines 27-4, lines 56-67 and col. 10, lines 46-54).

Given the teaching of Sollee, it would have been obvious to one of ordinary skill in art to modify Johnson to include a firewall system to prevent and block unauthorized users from accessing private networks in order to provide a secure network.

As per claim **10**, Johnson teaches the invention substantially as claims discussed above.

However, Johnson does not explicitly teach:

- a modified version of the Session Initiation Protocol.

Sollee discloses a text-based communications over a data network including:

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- a modified version of the Session Initiation protocol (col. 4, lines 66-67, col. 5, lines 1-8, lines 27-43 and col. 6, lines 44-50,).

Given the teaching of Sollee, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by including a SIP system to initiate call sessions between devices allowing the devices to exchange information and communicate effectively over the network.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Sollee and in further view of Martin.

As per claim 11, Johnson in view of Sollee teaches the invention substantially as claims discussed above.

However, Johnson in view of Sollee does not explicitly teach:

- Lightweight Directory Access Protocol.

Martin discloses a server-client communication over a network including:

- Lightweight Directory Access Protocol (col. 2, lines 4-10, col. 4, lines 33-58, col. 5, lines 16-29, lines 65-67 and col. 6, lines 1-7).

Therefore, it would have been obvious to one of ordinary skill in art at the time the invention was made to combine the teachings of Johnson in view of Sollee with Martin to incorporate a Lightweight Directory Access Protocol in order to send and receive messages to smart appliances over a network in a timely and efficient manner.

Response to Arguments

8. Applicant's arguments with respect to claims 1, 6-8 and 10-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs
Examiner
Art Unit 2157

ltj
August 7, 2005


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